

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

DONNA JO SPANGLER,

BKY 09-47844

Debtor.

RANDALL L. SEAVER, Trustee,

ADV 10-4008

Plaintiff,

-V.-

TODD A. SPANGLER and  
DONNA JO SPANGLER,

FINDINGS OF UNDISPUTED  
FACTS, CONCLUSIONS  
OF LAW, AND ORDER  
FOR JUDGMENT

Defendants.

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At Minneapolis, Minnesota, June 17, 2010.

The Plaintiff's Motion for Summary Judgment came on for hearing before the court on June 17, 2010. Matthew D. Swanson appeared on behalf of the Trustee and the Defendants appeared through counsel James R. Doran. Based on the evidence, and all the files, records, and proceedings herein, pursuant to Fed. R. Bankr. P. 7052, following the close of argument, the court orally stated and recorded in open court its findings of undisputed facts and conclusions of law. Accordingly,

IT IS HEREBY ORDERED:

1. Plaintiff's motion for summary judgment is GRANTED.
2. Judgment shall be entered in favor of the Plaintiff, Randall L. Seaver, as Trustee, and against the Defendants, Todd A. Spangler and Donna Jo Spangler, avoiding the Debtor's grant of a security interest in the Debtor's 2006 Hummer H3 to the Defendant Todd A. Spangler as a preferential transfer under 11 U.S.C. § 547(b).
3. Upon avoidance, the Debtor's interest in the 2006 Hummer H3 is preserved for the benefit of the Debtor's bankruptcy estate pursuant to 11 U.S.C. § 551.

4. The effect of this order is stayed for 10 days following entry.

LET JUDGMENT BE ENTERED IN ACCORDANCE WITH THE FOREGOING.

/e/ Nancy C. Dreher  
Nancy C. Dreher  
Chief United States Bankruptcy Judge

NOTICE OF ELECTRONIC ENTRY AND FILING ORDER OR JUDGMENT Filed and Docket Entry made on <b>06/17/2010</b> Lori Vosejpka, Clerk, by KK
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